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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,032	11/29/2000	Mikio Sanada	35.C14959	8953

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NOLAN, SANDRA M

ART UNIT	PAPER NUMBER
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1772

6

DATE MAILED: 09/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

A9-6

Office Action Summary

Applicati n No.

09/725,032

Applicant(s)

SANADA ET AL.

Examiner

Sandra M. Nolan

Art Unit

1772

-- The MAILING DATE f this communication appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-71 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- I. Claims 1-3, drawn to reforming method using liquid having parts, classified in class 427, subclass (unknown).
 - II. Claims 4-15, drawn to reforming method with functionalized liquid, classified in class 427, subclass (unknown).
 - III. Claims 16-22, drawn to element with varying orientation of parts, classified in class 428, subclass (unknown).
 - IV. Claim 23, drawn to element having polymer with 80° contact angle, classified in class 428, subclass (unknown).
 - V. Claims 24-27, drawn to fiber with olefin on its surface, classified in class 428, subclass (unknown).
 - VI. Claim 28, drawn to making fibers from siloxanes, classified in class 264, subclass (unknown).
 - VII. Claims 29-31, drawn to making fibers with olefin surface and siloxane coating, classified in class 427, subclass (unknown).
 - VIII. Claim 32, drawn to treating an element with sulfuric acid and polymer, classified in class 427, subclass (unknown).
 - IX. Claim 33, drawn to treating functionalized surfaces, classified in class 427, subclass (unknown).

- X. Claims 34-35, drawn to elements having reformed surfaces, classified in class 428, subclass (unknown).
 - XI. Claims 36-48, drawn to sticking products onto elements, classified in class 427, subclass (unknown).
 - XII. Claims 49-61, drawn to elements with products stuck on them, classified in class 428, subclass (unknown).
 - XIII. Claims 62-64, drawn to (making of) solutions for treating surfaces, classified in class 524, subclass (unknown).
 - XIV. Claim 65, drawn to in-situ coating, classified in class 427, subclass (unknown).
 - XV. Claims 66-67, drawn to surface of an element, classified in class 428, subclass (unknown).
 - XVI. Claims 68-70, drawn to method of reforming by polymerizing onto an element, classified in class 524, subclass (unknown).
 - XVII. Claim 71, drawn to product made by a coating process, classified in class 428, subclass (unknown).
2. The inventions are distinct, each from the other because of the following reasons:
- Inventions I, II and XVI and X are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different

process (MPEP § 806.05(f)). In the instant case a surface can be reformed by physically carving/sanding it.

Inventions VII and V are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by hand.

Inventions VIII and IX are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the solution can be used to make films.

Inventions XI and XII are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by hand.

Inventions XIV and XVIII are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2)

that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be coated by extrusion.

Inventions III, IV, XIII, XV and XVII are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). As best understood by the examiner, in the instant case the different inventions have no elements in common and do not serve as features of an overall process or product.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. The searches for the groups of inventions are different, as follows:

Group I

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group III, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group IV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group V, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group VI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group VII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group VIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group IX, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group X, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XIV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group II

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group III, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group IXV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group V, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group VI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group VII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group VIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group IXX, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group X, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XIV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group III

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group IV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group V, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group VI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group VII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group VIII, restriction for examination purposes as indicated is proper.

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Group IV

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group V, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group VI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group VII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group VIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group IX, restriction for examination purposes as indicated is proper.

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Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group IV is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group V

Because these inventions are distinct for the reasons given above and the search required for Group V is not required for Group VI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group V is not required for Group VII, restriction for examination purposes as indicated is proper.

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Because these inventions are distinct for the reasons given above and the search required for Group V is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group VI

Because these inventions are distinct for the reasons given above and the search required for Group VI is not required for Group VII, restriction for examination purposes as indicated is proper.

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Because these inventions are distinct for the reasons given above and the search required for Group VI is not required for Group IX, restriction for examination purposes as indicated is proper.

Art Unit: 1772

Because these inventions are distinct for the reasons given above and the search required for Group VI is not required for Group X, restriction for examination purposes as indicated is proper.

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Group VII

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Group VIII

Because these inventions are distinct for the reasons given above and the search required for Group VIII is not required for Group IX, restriction for examination purposes as indicated is proper.

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Group IX

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Art Unit: 1772

Because these inventions are distinct for the reasons given above and the search required for Group IX is not required for Group XI, restriction for examination purposes as indicated is proper.

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Art Unit: 1772

Group X

Because these inventions are distinct for the reasons given above and the search required for Group X is not required for Group XI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group X is not required for Group XII, restriction for examination purposes as indicated is proper.

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Group XI

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Because these inventions are distinct for the reasons given above and the search required for Group XI is not required for Group XVII, restriction for examination purposes as indicated is proper.

Art Unit: 1772

Group XII

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group XIII, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group XIV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XII is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group XIII

Because these inventions are distinct for the reasons given above and the search required for Group XIII is not required for Group XIV, restriction for examination purposes as indicated is proper.

Art Unit: 1772

Because these inventions are distinct for the reasons given above and the search required for Group XIII is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XIII is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XIII is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group XIV

Because these inventions are distinct for the reasons given above and the search required for Group XIV is not required for Group XV, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XIV is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XIV is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group XV

Because these inventions are distinct for the reasons given above and the search required for Group XV is not required for Group XVI, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group XV is not required for Group XVII, restriction for examination purposes as indicated is proper.

Group XVI

Because these inventions are distinct for the reasons given above and the search required for Group XVI is not required for Group XVII, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
6. A telephone call was made to Mr. Peter Saxon on September 18, 2002 to request an oral election to the above restriction requirement, but did not result in an election being made.
7. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

Art Unit: 1772

or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication should be directed to the Examiner, Sandra M. Nolan, whose telephone number is 703/308-9545. The Examiner can normally be reached on Monday through Thursday, from 6:30 am to 4:00 pm, Eastern Time.

If attempts to reach the Examiner by telephone are unsuccessful, her supervisor, Harold Pyon, can be reached at 703/308-4251. The general fax number for the art unit is 703/305-5436. The fax number for after final communications is 703/872-9310. The receptionist answers 703/308-0661.



S. M. Nolan
Patent Examiner
Technology Center 1700

SMN/smn
09725032(6)
September 19, 2002